

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KAWAN FOOD MANUFACTURING SDN BHD,

Plaintiff,

- against -

BENGAL SEA FOODS USA CANADA, INC.,  
GREEN-LAKE PRODUCE AND SEAFOOD,  
CORP., YAKUB SHEIKH and HENRY UY,

Defendants.  
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RAMON E. REYES, JR., U.S.M.J.:

INTRODUCTION

In a Memorandum and Order dated July 7, 2008, the Honorable Edward R. Korman ordered that plaintiff Kawan Food Manufacturing SDN BHD ("Kawan") receive attorneys' fees and costs to "deter any further violation of the permanent injunction" by Defendants. (See Docket Entry 75.) Kawan has submitted an accounting for its fees and costs in the amount of \$80,618.82. (See Docket Entry 80.) Defendants argue that the amount sought is excessive and inadequately detailed. (See Docket Entry 82 at 4.) I have carefully reviewed both parties' briefs and declarations, and for the reasons specified below respectfully recommend that the Court award Kawan legal fees and costs in the amount of \$60,426.31.

I. Attorneys' Fees

In the Second Circuit, "[t]he lodestar method is ordinarily the starting point in determining the amount of fees that may be awarded." *Seitzman v. Sun Life Assurance Co. of Canada, Inc.*, 311 F.3d 477, 487 (2d Cir. 2002) (citation omitted). Under this method, attorneys' fees are calculated by taking "the number of hours reasonably expended on the litigation multiplied by a reasonable hourly rate." *Pugach v. M&T Morg. Corp.*, 564 F. Supp. 2d 153, 155

NOT FOR PUBLICATION

REPORT & RECOMMENDATION

No. 06-CV-5430 (ERK) (RER)

Order  
Upon de novo  
review, I adopt  
the recommendation  
of the U.S. Magistrate  
Judge - s/Edward R. Korman  
CERD  
12/18/08